

AMENDMENTS TO THE DRAWINGS

The attached drawings include changes to Figs. 1, 5, 6, and 8C. In Fig. 1 reference characters 24 and 28 have been added, in Fig. 5 reference character 87 has been changed to 82, in Fig. 6 the reference characters CP1 and CP2 have been deleted, and in Fig. 8C the abbreviation GND has been deleted.

Attachment:

Replacement sheets

Annotated sheets showing changes

REMARKS

Claims 1, 3-8, 10, and 11 remain in the application with claims 1, 3, 4, 8, 11, having been amended hereby and claims 2 and 9 having been canceled, without prejudice or disclaimer.

Reconsideration is respectfully requested of the objection to the drawings as not including reference signs mentioned in the description and for including reference characters not mentioned in the description.

In regard to Fig. 1, reference numerals 24 and 28 have been added. In regard to Fig. 5, reference numeral 87 has been changed to 82. In regard to Fig. 8B, it is respectfully submitted that the reference character 11 is clearly the same as in Fig. 8A, since Fig. 8B is described as being the same as Fig. 8A only having plug 83 inserted into jack 22. In regard to Fig. 8C, the specification has been amended to indicate that the left and right channels are produced by the circuit shown in Fig. 7. The specification has also been amended to refer to signal S1 as being shown in Fig. 7.

As noted hereinabove, Fig. 5 has been amended to change 87 to 82. In regard to Fig. 6, CP1 and CP2 have been removed. In regard to Fig. 7, 33 refers to the CPU that is shown in Fig. 6, because Fig. 7 simply shows the details of the audio processing unit 70 of Fig. 6, to which CPU 33 is attached. The specification has been amended to refer to the voltage reference 79 shown in Fig. 7. The telephone set main body 11

is shown in Figs. 8A and 8B and referred to in regard to Fig. 8A. Fig. 8B is described as being Fig. 8A having plug 83 inserted therein, therefore, it is respectfully submitted that the reference numerals shown in Fig. 8B are clearly understood and described. In regard to Fig. 8C, the letters GND have been removed. Furthermore, it is respectfully submitted that the phrase "from 75" in Fig. 8C is clearly understandable and needs no further description since putting the words "from 75" in the specification would simply be redundant. In regard to Fig. 10A, the specification has been amended to refer to the telephone set main body 11. In regard to Fig. 10B, the phrase "from 75" is submitted to be proper in the drawing and needs no further explanation in the specification. The specification has been amended to refer to capacitor C2 shown in Fig. 10B. In regard to Fig. 11, the specification has been amended to refer to the voltage reference 79. In regard to Fig. 12, the specification has been amended to refer to the plug 86.

Submitted herewith are replacement sheets bearing the above-noted changes, along with annotated sheets showing the changes.

Accordingly, it is respectfully submitted that in view of the changes to the specification and the drawings that the drawings meet all requirements of 35 USC 184(p)(5).

Reconsideration is respectfully requested of the rejection of claims 1, 2, and 5-9 under 35 USC 103, as being unpatentable

over Acree in view of Adams.

This invention is intended to provide a solution to a problem that occurs when using a telephone, that is, a cellular telephone, and an earphone to listen to music, for example. Typically, the problem arises when using the kind of earphone in which two earpieces or buds are provided. When using two earpieces like that the ambient sounds are masked by the radio or music being played back over the telephone so that it can become dangerous when walking down a street or crossing intersections and being unable to hear the oncoming traffic. This is generally not a problem with a single ear mount earpiece, since the other ear is open to detect the ambient sounds. In the present invention the ambient sounds are detected by a microphone, for example, and are amplified. According to the present invention such amplification is not necessarily required when using only a single mount earphone, but the amplification is increased when a dual mount earphone is employed. The present invention teaches a system that detects which kind of earphone is inserted in the main body and adjusts the level of the amplifier amplifying the ambient sound being detected by the microphone in response to the detection result. More specifically, when the dual mode ear mount earphone is attached, the level or gain of the amplifier for the ambient sound is increased so that the user will not be unaware of events occurring around him. On the other hand,

when the single mount earphone is detected the amplifier gain for the ambient signal is reduced and held at a constant level, since it is not necessary to emphasize the external events to the user who has one ear occluded.

The claims have been amended to emphasize the above-noted features of the present invention.

Acree relates to a telephone accessory kit intended to provide a headset and microphone and to provide various enhancements for the telephone user. An internal microphone is provided and a mute switch, so that if the telephone user having the earphones mounted thereon wishes to have a conversation with a person in the same room, for example, and not over the telephone lines, the internal microphone is used and the telephone set is disconnected from the telephone lines. The mute switch is a two-pole switch in which the second set of poles disconnects the telephone receive path and connects the internal microphone circuit that picks up and reproduces any sounds in the immediate vicinity of the unit. The use of the internal microphone allows the user to hold a conversation with persons in the immediate area without removing the headset. Acree does not consider the use of a single mount earphone and more importantly, Acree is not confronted with the problem of the present invention because Acree disconnects anything other than the microphone upon actuating the mute switch 36, which functions as the source switch as shown at 67 in Fig. 2 of

Acree.

Adams relates to a radio that senses whether a headset for a radio or a headset for a telephone is connected thereto. A single jack is provided that can detect the presence of either a telephone headset or stereo headphones and provides either telephone functionality or radio functionality in response to the detection.

It is respectfully submitted that even combining Adams with Acree that the presently claimed invention would not have been rendered obvious, because neither Acree nor Adams are confronted with the problem solved by the present invention in which it is intended to advise the user of the dual mount headphone of the ambient occurrences by amplifying the signal provided over the microphone and amplifier to the dual ear mount headphones. The problem is not present in Acree since Acree disconnects the phone line when using the internal microphone. Therefore, even sensing the kind of unit inserted into the multi-purpose telephone accessory unit of Acree using the special jack sensor of Adams would still not result in the presently claimed invention.

Reconsideration is respectfully requested of the rejection of claims 3, 4, 10, and 11 under 35 USC 103, as being unpatentable over Acree and Adams and in further in view of Romesburg.

Claims 3 and 4 depend from claim 1 and claims 10 and 11

depend from independent claim 8, which independent claims are thought to be patentably distinct over the cited reference and, for at least those very same reasons, claims 3, 4, 10, and 11 are submitted to be patentably distinct thereover.

Romesburg is cited for showing a telephone that has an adaptive gain for the amplifier. Nevertheless, Romesburg does not solve the deficiencies of the primary reference concerning controlling the gain of the amplifier based on the kind of earphone connected to the telephone set.

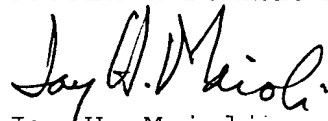
Accordingly, in view of the amendments made to the claims hereby, as well as the above remarks, it is respectfully submitted that a handheld telephone set that controls the reproduction of the ambient sound based upon the kind of headphones attached thereto, as taught by the present invention and as recited in the amended claims, is neither shown nor suggested in the references, alone or in combination.

The references cited as of interest have been reviewed and are not seen to show or suggest the present invention as recited in the amended claims.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

COOPER & DUNHAM LLP

  
Jay H. Maioli  
Reg. No. 27, 213

JHM:tb